IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.08.2006

CORAM

THE HONOURABLE MR. JUSTICE P.SATHASIVAM

C.R.P.PD. No.1174 of 2006
and
M.P.No.1of 2006
-o-

R.Lakshminarayanan ... Petitioner/Defendant 3

Versus

1. S.Kalimuthu
2. R.Viswanathan
3.K.Krishnamoorthy ... Respondents/Plaintiff, Defendants 2 & 3

Civil Revision Petition filed under Article 227 of th Constitution of India against the order of the District Munsif Coimbatore dated 03.03.2006 made in O.S.No.589 of 2006.

For Petitioner : Mr. M.Baskar

ORDER

I am of the view that the grievance of the petitioner cannot b gone into by this Court at this stage under Article 227 of th Constitution of India.

2. The petitioner is the third defendant in O.S.No.589 of 2006 o the file of the District Munsif Court, Coimbatore. Though th petitioner herein claims that in view of the earlier decree i O.S.No.1754 of 2000, the present suit itself is not maintainable, I a of the view that it has to be raised before the Court below by filin a written statement and it is for the Court below to consider the sai issue after affording opportunity to both the parties. When suc remedy is available, I am of the view that the grievance of th petitioner cannot be sorted out by way of present revision. On thi ground, this petition is dismissed. The learned District Munsif Coimbatore is directed to take all endeavour for early disposal of th

WEB COPY

https://hcservices.ecourts.gov.in/hcservices/

suit, by giving priority after filing of written statement by all th
parties expeditiously. No costs. Consequently, connected miscellaneou
petition is closed.

Gms

Sd/
Asst.Registrar

/true copy/

Sub Asst.Registrar

To

The District Munsif,
Coimbatore

C.R.P. PD. No.1174 of 200

JE(CO)

BP/12.9

HIGH COURT OF JUDICATURE MADRAS
सत्यमेव जयते
WEB COPY

https://hcservices.ecourts.gov.in/hcservices/